

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 7-8, 2006

Reference No.: 2.4e.
Action Item

From: CINDY McKIM
Chief Financial Officer

Prepared by: Bimla Rhinehart
Division Chief
Right of Way & Land Surveys

Subject: **RESCINDING RESOLUTION OF NECESSITY**
RESOLUTION CR-138, RESCINDING RESOLUTION C-19211

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolution CR-138, rescinding Resolution of Necessity C-19211. In accordance with statutory requirements, the owner and lessee have been advised that the Department is requesting rescission of Resolution C-19211.

ISSUE:

On December 15, 2005, the Commission adopted Resolution of Necessity C-19211, which authorized condemnation in fee. Since the adoption of the resolution in December of 2005, the parcel has been acquired from the owner by right of way contract. In an effort to reduce overall project cost, the project scope is under review. Due to the possible design changes and unknown impacts to the parcel, it has been determined that the Department will not proceed with condemnation of the lessee's interest at this time.

CR-138 - Ida E. Ricci; Exxon Mobil Corporation (Lessee)

05-SLO-101/41-PM 45.6 - Parcel 8831A - EA 402809 - Certification Date: 04/01/06 - RTL Date: 07/01/06. Expressway - interchange improvements. Rescinds Resolution of Necessity C-19211, adopted December 15, 2005, which authorized condemnation in fee. Located in the city of Atascadero at 6990 El Camino Real. APN 030-211-014.